

---

**From:** Starfield, Lawrence

**Sent:** Tuesday, June 19, 2018 5:28 PM

**To:** Enforcement Division Directors <Enforcement\_Division\_Directors@epa.gov>; Fernandez, Cristina <Fernandez.Cristina@epa.gov>; McManus, Catharine <mcmanus.catharine@epa.gov>; Armstead, John A. <Armstead.John@epa.gov>; Monell, Carol <Monell.Carol@epa.gov>; Banister, Beverly <Banister.Beverly@epa.gov>; Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; Nam, Ed

<nam.ed@epa.gov>; Korleski, Christopher <korleski.christopher@epa.gov>; Ballotti, Doug <ballotti.douglas@epa.gov>; Weber, Rebecca <Weber.Rebecca@epa.gov>; Peterson, Mary <Peterson.Mary@epa.gov>; Hyde, Tinka <hyde.tinka@epa.gov>; Estornell, Paula <Estornell.Paula@epa.gov>; Brooks, Phillip <Brooks.Phillip@epa.gov>; Pollins, Mark <Pollins.Mark@epa.gov>; sullivan.greg@epa.gov; Porter, Amy <Porter.Amy@epa.gov>

**Cc:** Bodine, Susan <bodine.susan@epa.gov>; Traylor, Patrick <traylor.patrick@epa.gov>; Enforcement Coordinators <Enforcement\_Coordinators@epa.gov>; Regional Enforcement Counsels <Regional\_Enforcement\_Counsels@epa.gov>; Branning, Hannah <Branning.Hannah@epa.gov>; Shiffman, Cari <Shiffman.Cari@epa.gov>; Kelley, Rosemarie <Kelley.Rosemarie@epa.gov>; Theis, Joseph <Theis.Joseph@epa.gov>; Gargas, Toni <Gargas.Toni@epa.gov>; LaBoda, Sarah <LaBoda.Sarah@epa.gov>; Hindin, David <Hindin.David@epa.gov>; Holic, Daniel <Holic.Daniel@epa.gov>; Randy Hill (Hill.Randy@epa.gov) <Hill.Randy@epa.gov>; Leadership\_Deputy\_Regional\_Administrators <Leadership\_Deputy\_Regional\_Administrators@epa.gov>

**Subject:** Midyear Data Review -- internal/confidential

**DELIBERATIVE – FOR INTERNAL EPA USE ONLY**

Enforcement Directors, Regional Program DDs (Regions 3, 4, 5, and 7), and OCE Division Directors:

We've been comparing our FY2018 mid-year enforcement and compliance numbers to our FY2017 mid-year numbers. As you can see from the attached charts, there are significant decreases in enforcement and compliance activity across almost all programs and in almost every region. For example, the data indicate that nationwide, there have been decreases of 24% in civil case initiations, 23% in civil conclusions, and 33% in inspections (with variability among regions and programs). We need your help to better understand what factors are causing these decreases.

Susan will be reaching out to the Regional Administrators next week to give them a heads-up on these trends, and to ask them to review the data with you. We then hope to schedule time with you in mid-July to discuss ideas for improving our performance. To prepare for that conversation, we ask that you review the attached PDF and answer the following three questions.

First, please let us know whether the attached information (pulled from the [ICIS Dashboards](#)) is generally correct. Precision is not necessary—we are not bringing back the DRA mid-year certification process—but we would like to know whether these data are in the ballpark. If there are corrections you need to make, please make them directly into ICIS. You should feel free to limit your evaluation of accuracy to overall (i.e., not by program) case initiations, case conclusions, and inspections for which the charts show a 10% or greater decline.

Second, for case initiations, case conclusions, and inspections in your Region, please provide a brief narrative explanation for the decrease in any program for which the charts show a 10% or greater decline and for which there were 10 or more actions in FY2017.

Third, please provide your best estimate of the projected FY2018 end-of-year activities for overall (i.e., not by program) civil judicial referrals, judicial conclusions, administrative initiations, administrative conclusions, and inspections. To help with end of year projections, you may wish to check your performance for the first three quarters in FY2018 versus prior years using the ICIS Dashboards. And we have produced all the information in the attached PDF using the [ICIS Dashboards](#), and so Regions can easily re-run these charts.

David Hindin will provide you by June 21 with a form for providing this information; please **submit the completed form to David and to Dan Holic by Friday, July 6, 2018**. We'll be holding a conference call next week with all Regions to answer any specific questions you may have.

If you need further information, feel free to contact David Hindin (202-564-1300) or Dan Holic (202-564-7117).

Thank you for your cooperation as we work together to maintain a strong and effective enforcement and compliance program.

Larry

This message is CONFIDENTIAL, and may contain legally privileged information. If you are not the intended recipient, or believe you received this communication in error, please delete it immediately, do not copy, and notify the sender. Thank you.